THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.4291 of 2007

Between:

Mr.T.Venkatesh and others.

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PETITIONERS

and

The Commissioner of Police, Cyberabad
and others.

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RESPONDENTS

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ORDER:

It is stated that one Sri Thota Chandra Sekhar lodged a complaint against one Ms.Aswini, Sri B.Eswara Nath, Sri Bala Krishna and some others alleging that they have committed cognizable offences. Basing on which, the Station House Officer, Malkajgiri police station, Cyberabad, registered a case in Cr.No.11 of 2006 for the offences under Sections 147, 324 and 307 read with 149 IPC, on 08-01-2007.

It is stated that one of the accused in the said crime namely Sri Bala Krishna lodged a complaint on the same day i.e., on 08-01-2007 against one Sri T.Venkatesh and others. Basing on which, a case in Cr.No.12 of 2007 was registered by the same Station House Officer, Malkajgiri Police Station, Cyberabad, for the offences under Sections 147 and 324 IPC.

The learned counsel for the petitioners submit that a case in Cr.No.12 of 2007 was registered as a counter blast for the complaint lodged against the said accused. However, the petitioners have not at all committed any cognizable offence.

I am of the opinion that this court cannot take into consideration the aforesaid contentions of the learned counsel for the petitioners, without there being any appropriate oral or documentary evidence and without following due procedure under the relevant provisions of code of criminal procedure. Therefore, it is not possible for this court to appreciate the said contentions and quash the said F.I.R.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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05-03-2007

Prv